

**Amendment No. 4 to SB2683**

**Cohen  
Signature of Sponsor**

**FILED**

Date \_\_\_\_\_

Time \_\_\_\_\_

Clerk \_\_\_\_\_

Comm. Amdt. \_\_\_\_\_

**AMEND Senate Bill No. 2683\***

**House Bill No. 2811**

by adding the following as new, appropriately designated Sections:

SECTION \_\_. Tennessee Code Annotated, Section 4-51-111, is amended by adding the following language as a new subsection (g):

(g)

(1) There is created a special account in the state treasury to be known as the "HOPE scholarship special account". Notwithstanding any other provision of this section to the contrary, on August 1, 2006, and on each August 1 thereafter, all funds in the lottery for education account that have not been allocated and appropriated from such account for use for education programs and purposes, including administration of such programs and purposes, in the then current fiscal year or a previous fiscal year shall be transferred to the HOPE scholarship special account. No funds shall be transferred to the HOPE scholarship special account from the general shortfall reserve subaccount or the special reserve subaccount under the provisions of this subsection.

(2) Funds in the HOPE scholarship special account shall be used in accordance with Article XI, §5 of the Tennessee Constitution to provide financial assistance to citizens of this state to enable such citizens to attend postsecondary educational institutions located within this state. Such funds shall be used exclusively for the HOPE scholarship program. The general assembly shall appropriate from the HOPE scholarship special account by specific reference to it. Such appropriations shall otherwise be made in the manner required by law for appropriations.

(3) The Tennessee student assistance corporation shall use funds appropriated from the HOPE scholarship special account only for the HOPE

scholarship program, including the ASPIRE award and the General Assembly Merit Scholarship. The Tennessee student assistance corporation, in the report required under subdivision (c)(2)(A), shall submit its recommendations for any uses of the funds in the HOPE scholarship special account for the next fiscal year. Earnings attributable to investment of funds in the HOPE scholarship special account shall be used solely for the purpose of supplementing the ASPIRE award in accordance with §49-4-915(d).

(4) Any account balance remaining unexpended at the end of a fiscal year in the HOPE scholarship special account shall not revert to the general fund but shall be carried forward into the subsequent fiscal year.

(5) Notwithstanding any provision of this section to the contrary, interest accruing on investments and deposits of the HOPE scholarship special account shall be credited to such account, shall not revert to the general fund, and shall be carried forward into the subsequent fiscal year.

(6) Moneys in the HOPE scholarship special account shall be invested by the state treasurer in accordance with the provisions of §9-4-603.

SECTION \_\_. Tennessee Code Annotated, Section 49-4-915, is amended by adding the following language as a new subsection (d):

(d) Beginning with fiscal year 2007-2008, and in any fiscal year thereafter, if funds are available and are appropriated from earnings attributable to the investment of funds of the HOPE scholarship special account established under §4-51-111(g), TSAC shall determine a supplemental ASPIRE award amount. Such amount shall be used to provide financial assistance for postsecondary education to students eligible for ASPIRE awards in addition to that awarded under subsection (b). TSAC shall notify students receiving the ASPIRE award of the base amount of the award set according to subsection (b) and the supplemental amount available from funds appropriated from the HOPE scholarship special account. After setting the amount of the supplemental award for an academic year, TSAC shall notify the education committees of the senate and the

house of representatives and the finance, ways and means committees of the senate  
and the house of representatives of the amount of such supplement.